

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

Before the Honorable Kevin R. Sweazea
United States Magistrate Judge

CLERK'S MINUTES

Human Rights Defense Center v. Lujan Grisham et al.
1:24-cv-1091 SMD/KRS

Wednesday, February 12, 2025

Attorney for Plaintiff: Marc Shinn-Krantz

Attorney for State Defendants: Raul Carrillo

Attorney for The GEO Group Defendants: Michael Jahner

Proceeding: Telephonic Status Conference Concerning Discovery

Start Time: 10:31 a.m.

Stop Time: 10:39 a.m.

Total Time: 8 minutes

Clerk: LDM

NOTES

- The Court greets the parties and enters their appearances.
- The Court notes the motions that are currently pending include a motion for preliminary injunction, a motion to dismiss by one of the government defendants, and a motion to dismiss by the two individual GEO Group defendants. The Court solicits the parties' opinions regarding whether to hold a Rule 16 scheduling conference so that discovery may proceed, or wait until one or more of the pending motions are ruled on.
- Mr. Shinn-Krantz states that he thinks discovery should proceed, but he would like to delay holding the Rule 16 for about a month in which time one or more of the parties may seek to extend some of the current briefing deadlines for the pending motions.
- Mr. Carrillo agrees with Mr. Shinn-Krantz that the parties should be ready to hold a Rule 16 in about a month, noting that he and Mr. Shinn-Krantz had spoken about meeting at the end of February to discuss discovery among other matters.

- Mr. Jahner disagrees that discovery should proceed. He believes the Court should wait until the pending motions are decided to schedule a Rule 16 because the ruling on those motions may impact and inform the scope of discovery. He also is concerned that starting discovery before those rulings are made could lead to unnecessary satellite litigation on certain discovery issues such as whether the plaintiffs should be allowed to depose the individual GEO Group defendants while their motion to dismiss for lack of personal jurisdiction is pending.
- After considering counsels' arguments, the Court decides that it will proceed with a Rule 16 scheduling conference. After further consultation with counsel, the Court states that an initial scheduling order will be entered setting a telephonic Rule 16 hearing on March 26, 2025 at 10:00 a.m. The Court suggests that Mr. Jahner's concerns about the timing of depositions of the individual GEO Group defendants can be addressed by an agreement among the parties, which can be incorporated into the scheduling order. If the parties cannot reach an agreement on the matter, those defendants can always file a motion asking the Court to resolve the issue.
- There being nothing further, the Court adjourns.